

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

BARBEE HEBRON,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 4:09 CV 1482 DDN
	)	
UNITED STATES OF AMERICA,	)	
	)	
Defendant.	)	

**ORDER OF DISMISSAL WITHOUT PREJUDICE**

**IT IS HEREBY ORDERED** that the unopposed motion of defendant United States of America to dismiss this action for lack of subject matter jurisdiction for plaintiff's failure to exhaust administrative remedies pursuant to 28 U.S.C. § 2675(a) of the Federal Tort Claims Act (Doc. 10) is sustained.

**IT IS FURTHER ORDERED** that this action is dismissed without prejudice.

/S/ David D. Noce  
**UNITED STATES MAGISTRATE JUDGE**

Signed on January 12, 2010.